

amended, so as to allow the Commissioners Court of Jefferson County, Texas, to set the salary of the Judge of the County Court of Jefferson County at Law at a figure not less than Eight Thousand (\$8,000) Dollars and not more than Ten Thousand (\$10,000) Dollars per annum; providing a severability clause; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 438 on Third Reading

Senator Fuller moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 438 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

| | |
|-----------|------------------|
| Aikin | Moffett |
| Ashley | Owen |
| Bracewell | Parkhouse |
| Colson | Phillips |
| Corbin | Ratliff |
| Fly | Roberts |
| Fuller | Rogers |
| Hardeman | of Childress |
| Hazlewood | Rogers of Travis |
| Kazen | Secrest |
| Kelley | Shireman |
| Lane | Strauss |
| Latimer | Wagonseller |
| Lock | Weinert |
| Martin | Willis |
| McDonald | |

Absent

Moore

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message from the Governor

The President laid before the Senate and directed the Reading Clerk to read the following message received from the Governor today:

Austin, Texas,
May 16, 1955.

To the Members of the Fifty-Fourth Legislature.

I am vetoing and returning herewith Senate Bill No. 261. In Opinion

No. MS-211 from the Attorney General, dated May 12, 1955, I am advised that S. B. 261 contravenes Section 56 of Article III of the Constitution.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Bill and Resolution Signed

The President signed in the presence of the Senate after the captions had been read the following enrolled bill and resolution:

S. B. No. 305, A bill to be entitled "An Act authorizing and empowering the Board of Directors of the Texas A. and M. College to levy a regular student fee for the purpose of operating, maintaining and improving the Texas A. and M. College Memorial Student Center at the A. and M. College of Texas; fixing the amount of the fee; providing the purpose for which said fee shall be used; placing the control of the fees in the hands of the Board of Directors of the Texas A. and M. College; and declaring an emergency."

S. C. R. No. 65, Recalling S. B. No. 236 from the Governor's office.

Adjournment

On motion of Senator Kazen, the Senate, at 12:08 p. m., adjourned until 10:30 o'clock a. m. tomorrow.

SIXTY-SECOND DAY

(Tuesday, May 17, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

| | |
|-----------|------------------|
| Aikin | Moffett |
| Ashley | Moore |
| Bracewell | Owen |
| Colson | Parkhouse |
| Corbin | Phillips |
| Fly | Ratliff |
| Fuller | Roberts |
| Hardeman | Rogers |
| Hazlewood | of Childress |
| Kazen | Rogers of Travis |
| Kelley | Secrest |
| Lane | Shireman |
| Latimer | Strauss |
| Lock | Wagonseller |
| Martin | Weinert |
| McDonald | Willis |

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Our Father, we would wrap senate in Thy love, and pray that Thou wilt make us worthy of Thy blessings. If we have been unkind or impatient, forgive us, we pray; and may we hear Thee say, 'Come unto me, all ye that labor and are heavy laden, and I will give you rest.' We pray in Christ's name. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Reports of Standing Committees

Senator Strauss submitted the following report:

Austin, Texas,
May 16, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 39, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

STRAUSS, Chairman.

Senator Shireman submitted the following reports:

Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 942, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 860, have had the same under consideration, and we are instructed

to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 431, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 939, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIREMAN, Chairman.

Senator Kazen submitted the following reports:

Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 837, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 574, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Senator Strauss submitted the following report:

Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 44, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass and be not printed.

STRAUSS, Chairman.

Senator Hardeman submitted the following reports:

Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 62, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 752, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 714, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 680, have had the same under consideration, and we are instructed to report it back to the Senate with

the recommendation that it do pass, as amended, and be printed.

HARDEMAN, Chairman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 45, A bill to be entitled "An Act to regulate strikes and picketing; to declare a public policy; to declare unlawful certain types of strikes and picketing, to define terms, to prescribe penalties; to fix venue; to provide for severability of provisions; and declaring an emergency."

(With amendments.)

S. B. No. 73, A bill to be entitled "An Act making an appropriation to pay the principal of a certain judgment obtained against The State of Texas in Cause No. 100009 styled Arkansas Fuel Oil Corporation, et al., vs. The State of Texas, in the District Court of Travis County, Texas, according to the tenor, effect and reading of such judgment; providing that only the principal of such judgment be paid and that no interest be paid thereon; and declaring an emergency."

(With amendment.)

S. B. No. 204, A bill to be entitled "An Act amending Section 1 of Chapter 442, Acts of the 44th Legislature, Second Called Session, as amended, fixing the salaries of district attorneys; providing that this Act shall not repeal any other Act which permits or requires any county in this State to pay a district attorney added or supplemental salary; providing that this Act shall not be construed as repealing any Act which allows the district attorneys traveling expenses or any other allowances; providing for a repealing clause; and declaring an emergency."

S. B. No. 290, A bill to be entitled "An Act amending Chapter 470, Acts of the Regular Session of the 45th Legislature, as heretofore amended, pertaining to the Teacher Retirement System of Texas; prescribing the conditions upon which this Act shall become effective as a law; declaring

the Act to be severable; and declaring an emergency."

(With amendments.)

S. B. No. 276, A bill to be entitled "An Act amending Article 2324, Revised Civil Statutes of Texas, 1925, revising the fees which court reporters may charge for transcripts of evidence; repealing Article 2325, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

(With amendment.)

H. B. No. 666, A bill to be entitled "An Act providing for coverage of State employees under the Old Age and Survivors Insurance provisions of the Federal Social Security Act; defining terms; providing for the administration of this Act; providing for contributions and pay roll deductions; making allocations and appropriations; creating a special fund to be known as the State Social Security Administration Fund and providing for its administration; providing a severability clause; and declaring an emergency."

H. C. R. No. 160, Permitting the presiding officers of the Houses to have their signatures removed from the enrolled copy of H. B. No. 632 and instructing the Enrolling Clerk of the House to correct Section 2(c) of said bill.

The House has concurred in Senate amendments to H. C. R. No. 51 by viva voce vote.

The House has concurred in Senate amendments to H. C. R. No. 61 by viva voce vote.

The House has concurred in Senate amendments to H. C. R. No. 45 by a viva voce vote.

The House has concurred in Senate amendments to H. C. R. No. 78 by a viva voce vote.

The House has concurred in Senate amendments to H. C. R. No. 46 by viva voce vote.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Resolution 358

Senator Fuller offered the following resolution:

Whereas, We are honored today to have in the gallery the Ninth Grade

Civics Class of Bridge City School, Bridge City, Texas, accompanied by Mr. Grover Die, Superintendent of Bridge City Schools, Bridge City, Texas; and Mrs. J. B. Jones, P.T.A. Room Mother of Orange, Texas; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Fuller by unanimous consent presented the students, Mr. Die and Mrs. Jones to the Members of the Senate.

Senate Resolution 359

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery the 7th Grade Class from St. Mary's School of Fredericksburg, Texas, accompanied by Sister M. Fortunata, teacher; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ashley by unanimous consent presented the students and teacher to the Members of the Senate.

Message from the Governor

The following message received from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas,
May 16, 1955.

To the Members of the Fifty-fourth Legislature.

I am vetoing and returning herewith Senate Bill No. 342, which would extend the Special 37th District Court and the Special Criminal District Court of Bexar County. Senator O. E. Latimer advises me that Senate Bill No. 395, making these courts permanent, passed subsequent to this legislation, and is in my opinion preferable.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Senate Concurrent Resolution 69

Senator Martin offered the following resolution:

S. C. R. No. 69, Recalling S. B. No. 346 from the Governor's office and making certain corrections.

Whereas, Senate Bill No. 346 has passed the Senate and the House and is now in the Governor's office; and

Whereas, A typographical error has been found to exist in the caption and in Section 1 of said bill; now, therefore be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Governor be and he is hereby respectfully requested to return Senate Bill No. 346 to the Senate for correction; and that the President of the Senate and the Speaker of the House be authorized to remove their signatures from said bill; and, be it further

Resolved, That the Enrolling Clerk of the Senate be and she is hereby instructed to change the reference to "Senate Bill 455" in the first line of the caption of said bill to read "Senate Bill 445"; and to change the reference to "Senate Bill 455" in the first sentence of Section 1 of said bill to read "Senate Bill 445."

The resolution was read.

On motion of Senator Martin and by unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 70

Senator Wagonseller offered the following resolution:

S. C. R. No. 70, Commending Texas Heritage Foundation.

Whereas, Among many worthwhile projects presented for activation by the State Board of Education and the Commissioner of Education during the 1954 Texas Public School Centennial was that assigned to the Texas Heritage Foundation for developing a plan through which could be honored in perpetuity the Heroes and Heroines of Education in Texas; and

Whereas, Mr. Karl Hoblitzelle, Chairman of the Executive Board of the Texas Heritage Foundation, Brigadier General Paul L. Wakefield, now President of the Foundation, and A. Garland Adair, Executive Director, at once entered vigorously into the task, setting up a framework for establishing an Educational Hall of Fame; and

Whereas, Included in this framework, a Board of Regents and a College of Electors were named to assure the continuation of this endeavor; and

Whereas, The Board of Regents, named by the Texas Heritage Foundation, who ably served, included the following: Dr. H. Bailey Carroll, Executive Director, Texas State Historical Association; Jack Binion, Member of the State Board of Education; Mrs. Kate Bell, President of Texas State Teachers Association; Mrs. Leon Price, President, Texas Congress of Parents and Teachers; Mrs. L. E. Dudley, President, Texas Federation of Women's Clubs; Dr. Monroe S. Carroll, President, Texas Council of Church-Related Colleges; Dr. Carl Matthews, President, Texas Council of College Presidents; Dr. Thomas M. Spencer, President, Texas Junior College Association; and, Dr. Frederick Eby of the University of Texas; and

Whereas, The College of Electors elected by the Board of Regents, who ably served, were as follows: Senator A. M. Aikin, Paris; Dr. Harry E. Jenkins, President, Tyler Junior College, Tyler; Dr. B. E. Masters, President, Kilgore Junior College, Kilgore; Dr. James G. Gee, President, East Texas State Teachers College; Dr. William R. White, President, Baylor University; Dr. Joe P. Moore, Superintendent of Schools, Fort Worth Independent School District; Dr. W. J. McConnell, President Emeritus of North Texas State College; Dr. E. H. Poteet, President, Texas College of Arts and Industries; Dr. W. T. White, Superintendent of Schools, Dallas Independent School District; Dr. A. W. Birdwell (deceased), Professor Emeritus of Stephen F. Austin College; Dr. William L. Hughes, Professor Emeritus,

Texas A. & M. College; Dr. Walter H. Adams, Dean, Abilene Christian College; Dr. J. A. Hill, President Emeritus, West Texas State College; D. M. Wiggins, Vice-President, Citizens National Bank, Lubbock; Dr. R. P. Ward, President, Pan American College, Edinburg; Dr. William E. Moreland, Superintendent of Schools, Houston Independent School District; Harold H. Hitt, Department of Instruction, Midland; Dr. J. Davis Hill, Superintendent of Schools, Galveston Independent School District; Mrs. Carter Stewart of Marble Falls; Claud Gilmer of Rocksprings, and Dolph Briscoe of Uvalde; and

Whereas, The first selections, numbering eighty-four Heroes and Heroines of Texas Education, were announced on Wednesday, October 13, 1954, in a joint program in the Hall of State at the State Fair of Texas in Dallas; and

Whereas, The Hoblitzelle Foundation and the Executive Board of the Texas Heritage Foundation, of which the Honorable Karl Hoblitzelle is Chairman, are now engaged in the furtherance of the second phase of the program, which includes planning that will form the basis of a permanent Educational Hall of Fame in the Texas Memorial Museum at Austin; and

Whereas, The Hall of Remembrance for the Heroes and Heroines of Education in Texas will resurrect the lives of those men and women of ended earthly time who have done so much for education and has the potentialities for being a most important undertaking on behalf of stimulating interest in and additions to the teaching profession, which is truly a great need; now, therefore, be it

Resolved, That the Senate of the 54th Texas Legislature, the House of Representatives concurring, on behalf of the People of Texas, commends the Texas Heritage Foundation, the Hoblitzelle Foundation, the Board of Regents, the College of Electors, and the Texas Memorial Museum for their leadership in this most unique and worthwhile endeavor and bid them Godspeed as they continue their labor of love to remember forever the crucible influence of the men and women who have given so much of themselves, their talent, means and inspiration in the cause of education—"guardian genius of democracy."

WAGONSELLER

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell,

Colson, Corbin, Fly, Fuller, Harde-
man, Hazlewood, Kazen, Kelley, Lane,
Latimer, Lock, Martin, McDonald,
Moffett, Moore, Owen, Parkhouse,
Phillips, Ratliff, Roberts, Rogers of
Childress, Rogers of Travis, Secrest,
Shireman, Strauss, Weinert, Willis.

The resolution was read.

On motion of Senator Moore the names of the Lieutenant Governor and all of the Senators were added to the resolution as signers thereof.

The resolution was then adopted.

Senate Bill 435 on Second Reading

On motion of Senator Strauss, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 435, A bill to be entitled "An Act validating the incorporation of all cities and towns of five thousand (5,000) inhabitants or less, heretofore incorporated or attempted to be incorporated under the General Laws of Texas; validating the boundary lines at the time of such incorporation and the extension of those boundaries; validating governmental proceedings; providing that this Act shall not apply to any city or town now involved in litigation questioning the legality of the incorporation; and declaring an emergency."

The bill was read second time.

Senator Strauss offered the following amendment to the bill:

Amend S. B. 435 by striking Sec. 4 and inserting in lieu thereof the following:

Sec. 4. This Act shall not apply to any municipality which is now involved, or which within sixty (60) days from the effective date becomes involved, in litigation in any district court of this State, the Court of Civil Appeals, or the Supreme Court of Texas, in which litigation the validity of the organization, annexation, incorporation or creation of such municipality is attacked; and this Act shall not apply to any municipality involved in formal proceedings now pending before such municipality's commission or council in which proceedings the organization or creation of such municipality is attacked. Pro-

vided, further, that this Act shall not apply to any municipality which has heretofore been declared invalid by a court of competent jurisdiction of this State or which may have been established and which was later returned to its original status, nor shall this apply to any annexation or incorporation proceedings which have heretofore been declared valid or invalid by a court of competent jurisdiction of this State for the effective date of this Act.

The amendment was adopted.

On motion of Senator Strauss, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 435 on Third Reading

Senator Strauss moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 435 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

| | |
|-----------|------------------|
| Ashley | Moore |
| Bracewell | Parkhouse |
| Colson | Phillips |
| Corbin | Ratliff |
| Fly | Roberts |
| Fuller | Rogers |
| Hazlewood | of Childress |
| Kazen | Rogers of Travis |
| Kelley | Shireman |
| Lane | Strauss |
| Lock | Wagonseller |
| McDonald | Weinert |
| Moffett | Willis |

Nays—3

| | |
|----------|--------|
| Aikin | Martin |
| Hardeman | |

Absent

| | |
|---------|---------|
| Latimer | Secrest |
| Owen | |

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

| | |
|-----------|------------------|
| Ashley | Parkhouse |
| Bracewell | Phillips |
| Colson | Ratliff |
| Corbin | Roberts |
| Fly | Rogers |
| Fuller | of Childress |
| Hazlewood | Rogers of Travis |
| Kazen | Shireman |
| Kelley | Strauss |
| Lane | Wagonseller |
| McDonald | Weinert |
| Moffett | Willis |
| Moore | |

Nays—3

| | |
|----------|--------|
| Aikin | Martin |
| Hardeman | |

Absent

| | |
|---------|---------|
| Latimer | Owen |
| Lock | Secrest |

Senate Concurrent Resolution 71

Senator Hazlewood offered the following resolution:

S. C. R. No. 71, Providing presentation of a portrait of Lieutenant General Ernest O. Thompson to the State of Texas.

Whereas, Lieutenant General Ernest Othmer Thompson, native of Alvord, citizen of Amarillo, Commanding General of the Texas National Guard, and senior member of the Texas Railroad Commission, has served his state and nation with honor, valor, and distinction; and

Whereas, He learned and practiced the great lessons of self-reliance as a boy, earned his way through the University of Texas from which institution he received his law degree even as he was in training for service to his country, became one of the distinguished combat soldiers of World War I where he received a battlefield promotion to the rank of lieutenant-colonel, thereby becoming the youngest man to hold that rank in the American Expeditionary Forces; and

Whereas, He was designated by his commanding officer to represent his division in the original caucus of the American Legion in Paris, was then appointed to represent his state at the organization's meeting of the Legion in St. Louis, and also represented his state as a member of the honor guard at the burial of the Unknown Soldier in Arlington Cemetery and was

later the United States delegate to the World Congress for Allied Veterans in Brussels; and

Whereas, General Thompson served his beloved Amarillo as mayor for two most distinguished terms, during which his achievements left an indelible impression which even today redounds to his credit to the extent that he remains Amarillo's unquestioned first citizen; and

Whereas, General Thompson, in 1931, answered an urgent call from Governor Ross Sterling to accept an unsolicited appointment to the Texas Railroad Commission and then provided the intelligent and fearless leadership necessary to bring order out of chaos in the great East Texas oil field even in the face of tremendous odds and most formidable opposition from many quarters; and

Whereas, His service to his state and nation during and since those perilous days of petroleum panic welded together divergent factions, gave impetus and meaning and even existence to a system of oil and gas conservation which has prevented the waste of untold billions of barrels of oil and cubic feet of natural gas, and has given stability to America's most indispensable industry; and

Whereas, General Thompson's contribution was thereby requisite to the military defense and security of his nation and its allies in their fight against tyranny, and has been essential to the economic progress and prosperity of both his state and his nation; and

Whereas, General Thompson has encouraged and used his influence in behalf of the development of science and technology in petroleum, has proposed and sought equitable laws, rules and regulations in support of conservation, and has done so with enthusiasm, intelligence, effectiveness, and a sincere desire to bring about man's greater recovery of the stores of God's reservoirs for the public good; and

Whereas, His accomplishments have brought him the undisputed title of Father of Petroleum Conservation, caused him to be proclaimed not only by his state and his nation, but by leaders of almost every state in the Union, as well as by several foreign countries, and are further evidenced by his appointment as representative of three Presidents of the United States to all four sessions of the World Petroleum Congress; and

Wherefore, Before the outbreak of hostilities in World War II General Thompson commanded and trained a Texas regiment that became one of the most distinguished and decorated of the war, and then most reluctantly remained at his post on the Texas Railroad Commission at the special request of the President to lend his invaluable counsel and leadership in providing the fuel to power the vehicles of the mechanized troops, the great armadas of ships, and the fleets of fighting planes that won the war; and

Whereas, Throughout all of this General Thompson has been a determined and effective champion of states' rights and all of the freedoms, a Citizen-Soldier of unquestioned integrity, unchallenged qualifications, sincere and effective statesmanship, and unselfish service to his people; and

Whereas, Few public servants of this or any other state or nation have ever made contributions of such magnitude to those they serve as has General Thompson; therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That the portrait of General Ernest Othmer Thompson be accepted by the State of Texas, and that the Board of Control be instructed to select a suitable place in the Capitol for such portrait to be hung.

HAZLEWOOD
HARDEMAN

The resolution was read.

On motion of Senator Hazlewood, and by unanimous consent, the resolution was considered immediately and was adopted.

Conference Committee Report on Senate Bill 145

Senator Aikin submitted the following Conference Committee Report on S. B. No. 145:

Austin, Texas;
May 12, 1955.

Hon. Ben Ramsey, President of the Senate.

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 145, have met and had same under

consideration, and beg to report it back with the recommendation that it do pass in the form attached.

AIKIN
BRACEWELL
LOCK
SHIREMAN
MARTIN

On the part of the Senate.

GILLHAM
SAYERS
JAMISON
SEELIGSON
GLUSING

On the part of the House.

S. B. No. 145:

**A BILL
TO BE ENTITLED**

"An Act creating the Texas Commission on Higher Education; providing for appointments of its members and their terms of office; providing for filling vacancies in its membership; providing rules and regulations for the transaction of its business; providing for expenses of members; prescribing times and place of meeting; authorizing employment of personnel and prescribing the qualifications of the Director; providing for an Advisory Committee; prescribing the purpose, duties and functions of the Commission; providing for reports to the Governor and to the Legislature; imposing certain duties on all State-supported institutions of higher learning and other State agencies; providing for hearings before the Commission; repealing Chapter 39, Acts of the 41st Legislature, First Called Session, 1929, and Chapter 10, Acts of the 41st Legislature, Second Called Session, 1929, as amended, and other Acts and parts of Acts inconsistent with the provisions of this Act; containing a severability clause; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. The purpose of this Act is to establish in the field of public higher education in the State of Texas an agency of the State through which additional leadership and coordinating services can be provided for the senior higher education systems and institutions and their governing boards, to the end that an efficient and effective State system of higher education may be developed.

Sec. 2. There is hereby established the Texas Commission on Higher Ed-

ucation, hereinafter referred to as the Commission, which shall have its office in Austin, Texas. It shall carry out only such functions as are herein enumerated and such other functions as the Legislature may assign to it. Functions vested in the governing boards of the respective institutions of higher education, not specifically delegated to the Commission, shall be performed by such boards. The coordinating functions and other duties delegated to the Commission in this Act shall apply to all institutions, branches, and activities under the jurisdiction of the several governing boards of the state higher education institutions and systems.

Sec. 3. The Texas Commission on Higher Education shall consist of fifteen (15) members. The members shall be appointed by the Governor with the advice and consent of the Senate. In making appointments to the Commission, the Governor shall give representation to the various geographical sections of the State, but the members shall not be considered as representatives of any one section. The initial appointments of five (5) members shall expire March 31, 1957. The initial appointments of five (5) other members shall expire March 31, 1959. The initial appointments of the remaining five (5) members shall expire March 31, 1961. All regular appointments shall be for terms of six (6) years. The terms of members shall begin on April 1st of odd-numbered years. No member shall be engaged professionally in education work during his term of office. The initial appointments of the Commission shall be made immediately following the effective date of this Act.

Sec. 4. The first meeting of the Commission shall be called by the Governor as soon as the membership of the Commission is completed. At the first meeting, and subsequently at the first meeting following March 31st of each odd-numbered year, the Commission shall elect a Chairman, a Vice-Chairman, and designate a secretary. A majority of the membership of the Commission shall constitute a quorum authorized to transact business of the Commission. The Commission shall function as a whole without prior recommendations from standing committees of its own membership, but it may appoint such advisory committees as it may deem necessary from without its membership.

Sec. 5. Members of the Commission shall serve without pay but shall be reimbursed for their actual expenses incurred in attending to the work of the Commission, subject to the approval of the Chairman.

Sec. 6. The Commission shall hold regular meetings in the City of Austin, Texas, on the second Monday in January, April, July, and October. It may hold other meetings at such places and times as shall be scheduled by it in formal sessions and as shall be called by the Chairman. The Commission shall establish rules and regulations not inconsistent with and limited to carrying out the provisions of this Act.

Sec. 7. The Commission may employ such professional and clerical personnel as is necessary to assist the Commission in administering the provisions of this Act. The number of employees, their compensation, and other expenditures shall be within the limits and in compliance with the appropriations made therefor by the Legislature. The Commission shall appoint a Director to supervise the staff in the performance of the administrative functions of the Commission. The Director shall serve for a period of four (4) years, his term beginning on June 1st and ending on May 31st; he may be reappointed for successive terms of four (4) years. The term of the initial Director shall be from the time of appointment to May 31, 1959. The Director shall be a person of high professional qualifications, having a thorough grounding by training and experience in the field of higher education and having had organizational experience.

Sec. 8. Representatives appointed by the governing boards of the State institutions of higher education (currently numbering eighteen) shall constitute an advisory committee to the Commission. The committee shall be composed of one (1) representative from each of said institutions plus one (1) from each system of higher education where such system is headed by a chief administrative officer. This advisory committee shall furnish such information, assistance, and advice as the Commission through its Director shall request. Members of the committee shall serve without additional compensation but may receive from the institutions which they serve traveling expenses as otherwise provided by law.

Sec. 9. The Commission shall notify the governing boards and the chief

administrators of the respective institutions and systems and the Legislative Budget Board and the Executive Budget Office of formulas designated by the Commission to be used by the several institutions in making appropriation requests and shall certify to these budget offices and to the Legislature that each institution has prepared its appropriation request in accordance with such designated formulas. With the view to securing an equitable distribution of state funds deemed to be available for higher education the Commission may establish or revise such formulas to be used in making appropriation requests to the Legislature. Budget requests of whatever nature by the governing boards of the several higher education institutions shall be routed first to the Commission. The Commission shall then make recommendations thereon and transmit such requests to the budget offices and the Legislature. It is specifically provided that the Commission shall have broad powers to recommend to the budget offices and to the Legislature concerning all phases of higher education appropriation requests. The Commission shall make continuing studies of the financial needs of higher education as applied to all services and activities of the several institutions.

Sec. 10. The Commission shall recommend to the budget offices and to the Legislature a supplemental contingent appropriation to provide for increases in enrollment at the wholly State-supported academic institutions of higher education. This contingent appropriation may be made directly to the several institutions, or to the Commission, as the Legislature may direct in each biennial appropriation. In the event the contingent appropriation is made to the Commission, the funds shall be allocated and distributed by the Commission to the several institutions as it may determine, subject only to such limitations or conditions as the Legislature may prescribe.

Sec. 11. The Commission shall make a continuing study of the program and degree offerings of wholly State-supported colleges and universities in relation to the needs of the State and shall report the results of the studies to the governing boards. No new department, degree program, or certificate program shall be added at any State-supported college or university after September 1, 1956, except by specific prior approval by the Com-

mission. The Commission shall order the consolidation or elimination of programs where such action is in the best interests of the institutions themselves and the general requirements of the State of Texas; provided, however, that the governing board concerned may by formal affirmative action, and notice thereof to the Commission by June 1st, following direction from the Commission to consolidate or eliminate such activities, continue the activity in question. Notice of action of the Commission in eliminating or consolidating activities shall be given to the governing board concerned by April 1st preceding the fall term in which the action is to take effect. The Commission shall make a report to the Legislature and the Governor in the event of non-compliance of a governing board in regard to an order or action of the Commission. Any bill which would create an additional senior institution of higher education shall be submitted either prior to introduction or by the standing committee considering same, to the Commission for its opinion as to need by the State therefor, and the Commission shall report its findings to the State Budget Offices and the Legislature.

Sec. 12. The Commission shall make a continuing study of the needs of the State, for research and for extension and public services, and shall have the authority to designate the institutions to carry out research, extension and public service programs in so far as these functions are paid for with State funds. The Commission shall maintain an inventory of all research programs and extension and public service activities being conducted by the various institutions, whether State-financed or not, within the limits imposed by security regulations governing defense contracts for research.

Sec. 13. The Commission shall make a continuing study of all phases of senior public higher education in Texas, whether expressly enumerated herein or not, for the purpose of improving its effectiveness and efficiency, and make appropriate reports thereon.

Sec. 14. The Commission shall make a report of its activities to the Governor annually and to the Legislature by December 1st prior to the regular meeting of the Legislature, including a summary of its reports to the various governing boards and actions taken by them.

Sec. 15. Under the leadership of the Commission, the Commission, the State Auditor, the Texas Education Agency, the Legislative Budget Office, and the Executive Budget Office shall prescribe a uniform system of reporting in the field of higher education. The Commission shall serve as the single State facility through which all State reports on higher education shall be channeled, and the officials of the several institutions of higher education shall comply with such requests for reports or information as may be made by the Commission or its Director.

Sec. 16. An agenda for the meetings of the Commission in sufficient detail to indicate the items on which final action is contemplated shall be mailed to the Chairman of each governing board and to the chief administrative officer of each State institution, or system, of higher education at least thirty (30) days prior to the meetings. The Commission shall grant any State institution the privilege of a hearing upon reasonable notice.

Sec. 17. Chapter 39, Acts of the 41st Legislature, First Called Session, 1929, and Chapter 10, Acts of the 41st Legislature, Second Called Session, 1929, as amended, are hereby expressly repealed and shall be of no force and effect from and after the effective date of this Act; all other laws in conflict herewith are hereby repealed to the extent of such conflict only; provided that the present authority resting with the Texas Education Agency in the manner of teacher education and teacher certification shall be left with that agency.

Sec. 18. If any provision of this Act is held by the courts to be unconstitutional or invalid, the remaining provisions of the Act shall not be affected thereby; and the Legislature hereby declares that it would have enacted, and does hereby enact, such remaining provisions despite any such invalidity.

Sec. 19. The fact that the available resources of the State for higher education should be expended as efficiently as possible by the State-supported institutions of higher education, and the fact that increasing enrollments in State-supported institutions of higher education require a coordination of their efforts, create an emergency and an imperative public necessity requiring that the Constitutional Rule providing that bills be read on three several days be and the same is hereby suspended; and this

Act shall take effect from and after its passage, and it is so enacted.

The report was read.

On motion of Senator Aikin and by unanimous consent the report was considered immediately and was adopted by the following vote:

Yeas—28

| | |
|-----------|------------------|
| Aikin | McDonald |
| Ashley | Moffett |
| Bracewell | Moore |
| Colson | Parkhouse |
| Corbin | Ratliff |
| Fly | Roberts |
| Fuller | Rogers |
| Hardeman | of Childress |
| Hazlewood | Rogers of Travis |
| Kazen | Secrest |
| Kelley | Shireman |
| Lane | Wagonseller |
| Latimer | Weinert |
| Lock | Willis |
| Martin | |

Nays—1

Strauss

Absent

Owen Phillips

House Bill 829 Re-referred

On motion of Senator Lane and by unanimous consent H. B. No. 829 was withdrawn from the Committee on Civil Jurisprudence and re-referred to the Committee on Criminal Jurisprudence.

Presentation of Guests

Senator Secrest by unanimous consent presented as guests of the Senate today his father and mother, Mr. and Mrs. F. B. Secrest of Georgetown, to the Members of the Senate.

Senate Bill 276 with House Amendments

Senator Ashley called S. B. No. 276 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Ashley moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill:

Senators Ashley, McDonald, Kazen, Lane and Fly.

Senate Resolution 360

Senator Bracewell offered the following resolution:

Whereas, Today, May 17th, marks the anniversary of the birth of a distinguished Texan, namely, Honorable Jimmy Phillips; and

Whereas, Senator Phillips is a member of this body; and

Whereas, It is the desire of his colleagues to recognize this important event as he marks another milestone on life's highway, and to extend him best wishes and congratulations; now, therefore, be it

Resolved, By the Senate of Texas, that the best wishes and congratulations of the Senate be and the same are hereby extended to this distinguished citizen; and that copies of this resolution, under the official seal of the Senate, be forwarded to him by the Secretary of the Senate.

The resolution was read and was adopted.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

H. C. R. No. 86, Granting Sam Sklar, Trustee, permission to sue the State of Texas.

H. C. R. No. 85, Granting Natural Gas Distributing Corp. permission to sue the State of Texas.

H. C. R. No. 108, Granting Franklin V. Keith permission to sue the State of Texas and the Texas Highway Commission.

H. C. R. No. 49, Granting permission to Mrs. Addie Wright to sue the State.

H. C. R. No. 88, Granting B & H Warehouse, Inc., permission to sue the State of Texas.

H. B. No. 755, A bill to be entitled "An Act authorizing general law cities to make appropriations for advertising and promoting their growth

and development; requiring an election; providing for severability; and declaring an emergency."

H. B. No. 908, A bill to be entitled "An Act creating the Runnels County Colorado River Water and Soil Conservation District as a body politic and corporate, pursuant to Section 59 of Article 16 of the Constitution of Texas; fixing its boundaries; etc.; and declaring an emergency."

H. B. No. 905, A bill to be entitled "An Act establishing the Bowie County Juvenile Board; prescribing its membership and powers and providing for compensation of its members; authorizing appointment of a juvenile officer; prescribing his powers and duties and providing for his compensation and expenses; repealing conflicting laws; providing for severability; and declaring an emergency."

H. B. No. 924, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Bowie County by authorizing the County to issue certificates of indebtedness for the purpose of acquiring right-of-way for the designated State Highways, including Farm-to-Market Highways, or Federal Highways when the acquisition of such right-of-way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 877, A bill to be entitled "An Act creating Newton County Water Supply District; providing for its organization and governing body; prescribing its powers, authority, functions, duties and privileges; providing a severability clause; and declaring an emergency."

H. B. No. 870, A bill to be entitled "An Act prohibiting the use of seines and nets in certain waters situated in Jasper and Tyler Counties; making certain exceptions; providing a penalty for violation; repealing conflicting laws; and declaring an emergency."

H. B. No. 912, A bill to be entitled "An Act to regulate the use of the

Great Seal of Texas so as to prohibit the use thereof for advertising or any unofficial use except as is provided in this Act; providing a penalty therefor; and declaring an emergency."

H. B. No. 414, A bill to be entitled "An Act to amend Section 63 of the Election Code of the State of Texas, as enacted by Chapter 492, Acts of the 52nd Legislature, 1951 and codified as Article 6.07 of the Election Code in Vernon's Civil Statutes so as to allow the Secretary of State to contract with any statewide association of daily and weekly newspapers in Texas for publication of constitutional amendments; containing a severability clause; and declaring an emergency."

H. B. No. 803, A bill to be entitled "An Act to create a more efficient road system for Gregg County, Texas, for laying out, opening, widening, grading, draining, constructing, building and repairing the public roads of Gregg County other than designated State Highways in Gregg County; etc.; and declaring an emergency."

H. B. No. 774, A bill to be entitled "An Act amending Section 1 of H. B. No. 884, Chapter 393, Acts, Regular Session, 53rd Legislature, extending the season for deer in Wood and Upshur Counties and making it unlawful for any person or persons to hunt with a shotgun loaded with buckshot or slug or with any rifle larger than .22 calibre."

H. B. No. 911, A bill to be entitled "An Act amending House Bill No. 407, Acts of the 54th Legislature, Regular Session, 1954, which created the West Central Texas Municipal Water District, by adding a section providing for severability; and declaring an emergency."

H. B. No. 921, A bill to be entitled "An Act amending Chapter 541, Acts of the 51st Legislature, by authorizing the issuance of revenue refunding bonds to provide money for the payment of outstanding revenue bonds; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 895, A bill to be entitled "An Act providing for County Juvenile Boards in each county comprising the 38th Judicial District, and in each county comprising the 63rd Judicial District; providing for com-

pensation of members of the Boards; providing compensation allowed County Judges hereunder shall not be counted as fees of office; providing that this Act shall be cumulative of existing laws relating to compensation of Judges of District Courts and County Judges; providing a savings clause; and declaring an emergency."

H. B. No. 889, A bill to be entitled "An Act creating a Conservation District under Article XVI, Section 59 of the Constitution comprising certain territory lying within the Counties of Atascosa and Frio, Texas, for the purpose of flood control and preservation of land and soil and the fertility thereof; etc.; and declaring an emergency."

H. B. No. 918, A bill to be entitled "An Act validating, ratifying, confirming and approving certain contracts and agreements, scrip and interest-bearing time warrants authorized by counties in this State since the approval by the Governor of Texas, on June 8, 1953, of Chapter 382, Acts of the 53rd Legislature of Texas, Regular Session, 1953, validating the proceedings adopted by such Commissioners' Courts relating thereto; validating, ratifying, confirming and approving refunding bonds issued for the purpose of refunding time warrants and all proceedings relating to the issuance of refunding bonds for such purposes; providing that refunding bonds now in the process of being issued by any county in this State to refund any such warrants now outstanding may be issued irrespective of the fact that the Commissioners' Court in giving the notice of intention to issue such refunding bonds may not have in all respects complied with statutory provisions; providing that this Act shall not apply to any contract, scrip warrant or time warrant or to any refunding bond proceedings, orders, resolutions or other instruments, or bonds executed or issued by any county with a population in excess of three hundred thousand (300,000) inhabitants according to the last preceding Federal Census or any contract, scrip warrant or time warrant or any refunding bond proceedings, orders, resolutions or other instruments, or bonds the validity of which is now involved in litigation; and declaring an emergency."

H. B. No. 366, A bill to be entitled "An Act amending Section 3, Article 117, of the Revised Civil Statutes of

Texas, 1925, as amended, by adding thereto a clause permitting the Commissioner of Agriculture of the State of Texas to enter into a cooperative agreement, for the purposes set forth therein, with any Texas firm, corporation or association organized for that purpose (which firms, corporations and associations, and all inspectors shall be licensed in accordance with standards and rules prescribed by the Commissioner of Agriculture) and/or the United States Department of Agriculture, and declaring an emergency."

H. B. No. 368, A bill to be entitled "An Act amending Section 2 and Section 10 of Acts, 1939, Forty-sixth Legislature, page 33, as amended, Acts, 1953, Fifty-third Legislature, page 69, Chapter 51, Section 1, by adding to each of said Sections a clause permitting the Commissioner of Agriculture of the State of Texas to enter into a Co-operative Agreement, for the purposes set forth therein, with any Texas firm, corporation or association organized for that purpose (which firms, corporations, and associations, and all inspectors shall be licensed in accordance with standards and rules prescribed by the Commissioner of Agriculture) and/or the United States Department of Agriculture; and by providing in Section 10 that the contribution for any inspection hereunder shall not exceed the actual cost thereof; and declaring an emergency."

H. B. No. 938, Local road law for Dallas County, with reference to the amount to be collected by the Tax Collector of Dallas County from the owners of Trucks, Trailers, Semitrailers, Motor Buses, and Street or Suburban Buses.

H. B. No. 687, A bill to be entitled "An Act to provide that a drainage district organized under the provisions of Article 3, Section 52, thereafter or hereafter converted to a reclamation district under Article 16, Section 59, of the Constitution, which district is within the boundaries of a single county, may add or annex additional territory within the same county upon the meeting of certain conditions; providing the Act is cumulative of existing laws pertaining to conservation and reclamation districts; providing ex officio salaries; providing a severance clause; and declaring an emergency."

H. B. No. 832, A bill to be entitled "An Act amending Article 7.14, Chapter 7, Revised Civil Statutes, Election Code of the State of Texas, as amended, providing for the transporting of voting machines within a county without the necessity of a certificate of convenience as required by Article 911b, Section 5a, Title 25 of Revised Civil Statutes of Texas and exempting such transportation from Article 1609b (a) of the Penal Code of Texas, repealing all laws in conflict therewith and creating an emergency."

H. B. No. 263, A bill to be entitled "An Act amending Article 4594 of the Revised Civil Statutes of Texas of 1925 to provide a lien in favor of hotels, boarding houses, rooming houses, inns, tourist courts, and motels on guests' properties for all sums due from such guests; providing for retention of possession of such properties; providing for exemption from attachment and execution during such retention of possession; and declaring an emergency."

H. B. No. 743, A bill to be entitled "An Act authorizing the sale with reservation of minerals of certain state-owned lands in Nueces County to either the City of Corpus Christi or Nueces County; and declaring an emergency."

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that:

The House has adopted the Conference Committee report on S. B. No. 145 by a vote of 134 ayes, 1 no.

The House has adopted the Conference Committee report on S. B. No. 171 by a vote of 102 ayes, 0 noes.

The House has adopted the Conference Committee report on S. B. No. 154 by a vote of 133 ayes, 0 noes.

The House has adopted the Conference Committee report on S. B. No. 39 by a vote of 130 ayes, 1 no.

The House has concurred in Senate amendments to House Bill No. 65 by a vote of 131 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 357 by a vote of 119 ayes, 1 no.

The House has concurred in Senate amendments to House Bill No. 876 by vote of 110 ayes, 2 noes and 2 present not voting.

The House has concurred in Senate amendments to House Bill No. 929 by vote of 114 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 647 by vote of 130 ayes, 0 noes.

The House has concurred in Senate amendments to House Bill No. 77 by viva voce vote.

The House has concurred in Senate amendments to House Bill No. 898 by vote of 130 ayes, 0 noes, and 1 present, not voting.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Conference Committee Report on Senate Joint Resolution 1

The President laid before the Senate as postponed business the Conference Committee Report on S. J. R. No. 1 (the report having been submitted on yesterday and further consideration postponed until 11:05 o'clock a. m. today).

(Senator Kazen in the Chair.)

Question—Shall the Conference Committee Report on S. J. R. No. 1 be adopted?

Bills and Resolution Signed

The Presiding Officer announced the signing by the President in the presence of the Senate, after the captions had been read, of the following enrolled bills and resolution:

S. C. R. No. 26, Granting Independent Natural Gas Company permission to sue the State.

S. B. No. 12, A bill to be entitled "An Act making certain adjustments in the incorporation, organization, regulation, and operation of life, health or accident insurance companies subject to the provisions of Senate Bill No. 236, known as the Insurance Code, Acts 1951, 52nd Legislature, and accomplishing this purpose by: etc."

S. B. No. 314, A bill to be entitled "An Act amending Chapter 123, Acts of the 53rd Legislature (being the law creating Dallas County Water Supply and Control District) by changing the method of selecting the directors of said district; changing the terms and qualifications of such directors; and to authorize the district to convey its properties to any other district established under Article 16, Section 59 of the Constitution, and thereupon be dissolved; and declaring an emergency."

S. B. No. 349, A bill to be entitled "An Act for the purpose of obtaining and maintaining additional library facilities for rural high school district or independent school district, now or hereafter organized, having boundaries embracing the entire area of a single county in this State, which county now has, or may hereafter have, an assessed valuation in excess of thirty million dollars (\$30,000,000), by authorizing Courts and Boards of Library Trustees; providing for transfer of title of limited lots of land by school boards to such trustees; providing terms, conditions and limitations; repealing general laws or parts thereof in conflict herewith; and declaring an emergency."

S. B. No. 359, A bill to be entitled "An Act relating to the construction, acquisition and equipment of buildings and other structures and additions to buildings and other structures by the Board of Regents of the University of Texas, the Board of Directors of the Texas Agricultural and Mechanical College System, the Board of Directors of Texas Technological College, the Board of Regents of the State Teachers Colleges, the Board of Regents of the Texas State College for Women, the Board of Directors of the College of Arts and Industries, the Board of Regents of North Texas State College, the Board of Regents of Texas Southern University and the Board of Regents of Lamar State College of Technology; providing for the fixing of fees for the use thereof and other revenue producing buildings, structures and other property; providing for the issuance of negotiable bonds and notes for the construction or acquisition of buildings and structures and additions to buildings and structures and the acquisition of land therefor; providing for securing such bonds and notes by irrevocably pledging the fees, charges and revenues

from buildings and structures and additions to existing buildings and structures and the revenues from any other revenue producing buildings, structures and other properties, and making provisions for assuring the adequacy of such pledged income; containing a severability clause; enacting other provisions related to the subject; and declaring an emergency."

S. B. No. 204, A bill to be entitled "An Act amending Section 1 of Chapter 442, Acts of the 44th Legislature, Second Called Session, as amended, fixing the salaries of district attorneys; etc.; and declaring an emergency."

Recess

On motion of Senator Aikin the Senate at 12:05 o'clock p. m., took recess until 2:00 o'clock p. m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p. m. today.

(Senator Latimer in the Chair.)

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House refused to concur in Senate amendments to House Bill No. 739 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The House has concurred in Senate amendments to House Bill No. 413 by division of votes.

S. C. R. No. 33, Authorizing the State Youth Development Council to grant a right-of-way easement to the State Highway Commission of Texas for 0.291 acres of State land in Coryell County, etc.

S. C. R. No. 64, Granting Zephyr Oil Co. permission to sue the State.

S. C. R. No. 48, Granting Mrs. Margaret Connally permission to sue the State.

S. C. R. No. 62, Granting the Magnolia Petroleum Co. permission to sue the State of Texas.

S. C. R. No. 53, Granting Etexas Producers Gas Co. permission to sue the State. (With amendment.)

S. C. R. No. 57, Granting Southern Gas Co. permission to sue the State. (With amendment.)

H. C. R. No. 99, Granting certain easements to the City of Austin, Texas.

H. C. R. No. 161, Granting permission to the Texas Industrial Loan Co. of Austin to bring suit against the State.

H. C. R. No. 162, Instructing the Enrolling Clerk in the House of Representatives to make certain corrections in House Bill No. 935.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Concurrent Resolution 27 with House Amendments

Senator Hazlewood called S. C. R. No. 27 from the President's table for consideration of the House amendments to the resolution.

The Presiding Officer laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Hazlewood moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Concurrent Resolution 35 with House Amendments

Senator Hazlewood called S. C. R. No. 35 from the President's table for consideration of the House amendments to the resolution.

The Presiding Officer laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Hazlewood moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Concurrent Resolution 53 with House Amendments

Senator McDonald called S. C. R. No. 53 from the President's table for consideration of the House amendments to the resolution.

The Presiding Officer laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator McDonald moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Concurrent Resolution 57 with House Amendments

Senator Lane called S. C. R. No. 57 from the President's table for consideration of the House amendments to the resolution.

The Presiding Officer laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Lane moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 73 with House Amendments

Senator Lock called S. B. No. 73 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Lock moved that the Senate concur in the House amendments.

The motion prevailed.

Bills Signed

The Presiding Officer announced the signing, by the President, in the presence of the Senate, after the captions had been read, the following enrolled bills:

S. B. No. 236, A bill to be entitled "An Act making the 151st and the 152nd District Courts created by the provisions of Senate Bill 50, Acts of the 53rd Legislature, First Called Session, 1954, Chapter 56, composed of Harris County, permanent district

courts; describing the jurisdiction and terms of said Courts; providing for the appointment, election and compensation of the judges of said Courts; amending Senate Bill 50, Acts of the 53rd Legislature, First Called Session, 1954, Chapter 56; providing a repealing clause; providing a severability clause; and declaring an emergency."

H. B. No. 891, A bill to be entitled "An Act extending the 132nd Judicial District until the 30th day of April, 1961; amending Section 6 of Senate Bill 17, Acts of the 52nd Legislature, Regular Session, 1951, Chapter 7, Page 7; and declaring an emergency."

H. B. No. 886, A bill to be entitled "An Act removing the closed season on wild pheasants (including Mexican pheasants) in Frio and La Salle Counties but continuing in effect the general law prescribing the bag limit of the number of pheasants which may be taken, killed, or possessed; and declaring an emergency."

H. B. No. 577, A bill to be entitled "An Act requiring slaughterers of livestock to maintain records on livestock purchased or slaughtered by them, defining certain terms; prescribing an offense and fixing the penalty therefor; declaring the effect of this Act on other laws; and declaring an emergency."

H. B. No. 470, A bill to be entitled "An Act levying an intangible assets tax on all contract motor carriers operating under permits issued by the Railroad Commission of Texas; and declaring an emergency."

H. B. No. 204, A bill to be entitled "An Act amending the Uniform Narcotic Drug Act, Chapter 169, Acts of the 45th Legislature, Regular Session, as amended, by amending Section 23 providing penalties for violation of this Act; adding a new section to be called Section 24a providing for conviction on uncorroborated testimony of an accomplice, and declaring an emergency."

H. B. No. 882, A bill to be entitled "An Act providing for the election of school trustees by separate positions in certain independent school districts; and declaring an emergency."

H. B. No. 554, A bill to be entitled "An Act amending Chapter 304, Acts 50th Leg., R. S., 1947, as amended;

including within the provisions thereof projects as therein defined extending from counties issuing bonds into other counties and making provisions relating thereto; providing certain additions and changes and repealing certain provisions relating to projects as therein defined; providing a severability clause; repealing laws and parts of laws in conflict therewith; and declaring an emergency."

H. B. No. 896, A bill to be entitled "An Act relating to fishing in Milam County; amending Section 1 of Chapter 175, Acts of the 51st Legislature, Regular Session, 1949, so as to legalize the use of gill nets in Milam County; providing the effect of this Act on other laws; and declaring an emergency."

H. B. No. 342, A bill to be entitled "An Act amending Section 24 of Article 118b, Revised Civil Statutes, being the Citrus Fruit Growers Act providing for the marking of grapefruit to show its origin; and declaring an emergency."

H. B. No. 286, A bill to be entitled "An Act amending Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended, and codified as Vernon's Civil Statutes, Article 6243e, by amending Section 23 thereof to allow investment of surplus in the Firemen's Relief and Retirement Fund in shares or share accounts of building and loan associations or Federal Savings and Loan Associations, and declaring an emergency."

H. B. No. 457, A bill to be entitled "An Act making it unlawful to kill, or attempt to kill, wild turkey or trap or molest same in Austin and Colorado Counties for a period of five (5) years; providing a penalty; repealing all conflicting laws; and declaring an emergency."

H. B. No. 662, A bill to be entitled "An Act defining shellfish; regulating the sale thereof; providing penalties; and declaring an emergency."

H. B. No. 884, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Anderson County by authorizing the county to issue certificates of indebtedness for the purpose of acquiring right-of-way for the designated State highways, including Farm-to-Market highways, or Federal highways when the acquisition of

such right-of-way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

House Concurrent Resolution 162 on Second Reading

On motion of Senator Fly and by unanimous consent the Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 162, Instructing the Enrolling Clerk of the House to make certain corrections in H. B. No. 935.

The resolution was read the second time and was adopted.

(President in the Chair.)

Bills Signed

The President signed in the presence of the Senate after the captions had been read the following enrolled bills:

H. B. No. 288, A bill to be entitled "An Act authorizing the creation of districts for the control and eradication of noxious weeds, defining noxious weeds; providing for the method of the creation and organization of such districts and regulating the functions, duties and powers of the officers and directors of such districts; providing the methods of appointing officers and directors of such districts; providing for their compensation and expenses; providing for filling of vacancies of officers and directors of such districts; providing for the appointment and compensation of inspectors; providing for the enforcement of the orders of the Board of Directors of such districts; and declaring an emergency."

H. B. No. 917, A bill to be entitled "An Act to amend H. B. No. 1082, Acts of the 47th Legislature of Texas, authorizing the Commissioners Court in all counties in the State of Texas to appropriate not more than five (5) cents on the one hundred dollars assessed valuation for the purpose of advertising and promoting the growth and development of the counties; and providing for an election authorizing such appropriation and cre-

ating and providing for the appointment of a Board of Development devoted to the growth, advertisement and development of such counties; providing said appropriation to constitute a separate fund to be known as the Board of Development Fund; limiting the amount to be appropriated, describing certain duties for said board; making the Act cumulative of other laws authorizing such counties to appropriate such money; validating sums appropriated or expended for such purposes under previous Acts; restricting the authority to levy the tax provided for herein to counties of more than fifty thousand (50,000) population according to the most recent United States Census; providing a saving clause; and declaring an emergency."

H. B. No. 816, A bill to be entitled "An Act providing that a portion of the Sabine River from its source to its juncture with the east boundary line of Hunt County shall hereafter be deemed a non-navigable stream insofar as hunting and fishing rights on and along said stream are concerned; providing that whatever title the State of Texas may have to the bed or waters of said stream shall not be divested hereby; and declaring an emergency."

H. B. No. 874, A bill to be entitled "An Act authorizing certain rural high school districts to appoint a collector of taxes; providing for his duties, compensation, and bond; stating the effect of this Act on other laws; providing for severability; and declaring an emergency."

H. B. No. 910, A bill to be entitled "An Act relating to marks and brands of livestock in Brazoria County; requiring owners of livestock to record their marks and brands within six months after this Act takes effect; providing that records of marks and brands now in existence shall no longer have any force and only the records made after this Act takes effect shall be examined or considered after the expiration of six months; providing for publication of this Act; and declaring an emergency."

H. B. No. 869, A bill to be entitled "An Act prescribing the open season for hunting deer in Newton County during the calendar years 1955 through 1959; providing a penalty for violation; suspending conflicting laws; and declaring an emergency."

H. B. No. 899, A bill to be entitled "An Act to abolish the office of County Attorney of Harrison County, Texas; creating the Constitutional office of Criminal District Attorney for Harrison County; providing for the election and tenure of office, and prescribing the qualifications, powers, duties, compensation and expenses of said office; providing for the appointment of assistants, investigators, stenographers and providing for their compensation, prescribing their powers and duties; providing for the appointment of the Criminal District Attorney until the next general election and until his successor shall qualify; and providing that the District Attorney of the 71st Judicial District shall be elected from Harrison County at the next general election and every four years thereafter; providing for a severability clause; providing for a repealing clause; and declaring an emergency."

H. B. No. 683, A bill to be entitled "An Act providing for the amendment of Article 21.28 of the Texas Insurance Code of 1951 such Act contrary; providing for the notification of reinsurers of delinquent insurers; providing for the use of the records of delinquent insurers and of the liquidator in evidence; providing for the certification of records by the liquidator; providing for the receipt in evidence, etc.; and declaring an emergency."

The following bill was signed subject to the provisions of Section 49-A of Article III of the Constitution of the State of Texas:

S. B. No. 73, A bill to be entitled "An Act making an appropriation to pay the principal of a certain judgment obtained against The State of Texas in Cause No. 100009 styled Arkansas Fuel Oil Corporation, et al., vs. The State of Texas, in the District Court of Travis County, Texas, according to the tenor, effect and reading of such judgment; providing that only the principal of such judgment be paid and that no interest be paid thereon; and declaring an emergency."

(Senator Lane in the Chair.)

Conference Committee on House Bill 742

Senator Kelley called from the President's table for consideration at this time, the request of the House for a conference committee to adjust

the differences between the two Houses on H. B. No. 742 and moved that the request be granted.

The motion to grant the request prevailed.

Conference Committee Report on House Bill 140

Senator Martin submitted the following Conference Committee report on H. B. No. 140:

Austin, Texas,
May 16, 1955.

Hon. Ben Ramsey, President of the Senate.

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 140, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

MARTIN
LOCK
FLY
AIKIN
SHIREMAN

On the part of the Senate.

SMITH of Hays
BRADSHAW
OSBORN
SEELIGSON
SAYERS

On the part of the House.

The report was read.

On motion of Senator Martin, and by unanimous consent, the text of the Conference Committee Report on H. B. No. 140 was ordered not printed in the Journal as it will be printed as a Supplement to the Journal.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 131, Granting an easement to the City of Austin, Texas, for sanitary sewer line purposes.

H. C. R. No. 132, Granting an easement for sanitary sewer line purposes, to the City of Austin.

H. C. R. No. 154, Granting William Jarrel Smith permission to bring suit against the State.

H. C. R. No. 141, Granting the Etexas Gas Producers Co. permission to sue the State.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

(Senator Aikin in the Chair.)

Conference Committee on House Bill 742

The Presiding Officer announced the appointment by the President of the following Conference Committee on the part of the Senate on H. B. No. 742: Senators Kelley, Martin, Aikin, Lock and Moore.

Senate Resolution 361

Senator Moore offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, the Honorable Olin Van Zandt, a former Member of this Body; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate, and he be invited to address the Senate on a subject of his own choosing.

The resolution was read and was adopted.

Senator Aikin presented the Honorable Olin Van Zandt to the Members and he addressed the Senate expressing appreciation for the pleasure and privilege of visiting the Senate again.

Meeting of the Committee on Game and Fish

Senator Shireman asked unanimous consent for a meeting of the Committee on Game and Fish while the Senate was in session.

There was objection.

Pending further discussion by Senator Corbin of S. J. R. No. 1, on

motion of Senator Shireman and by unanimous consent, the Committee on Game and Fish held a meeting while the Senate was in session.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 17, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. S. R. No. 302, Requesting the Senate to return Senate Bill No. 126 to the House for further consideration.

S. B. No. 13, A bill to be entitled "An Act to amend Chapter 21 of the Insurance Code (Acts 52nd Leg., R.S., 1951, Ch. 491, p. 868) by adding thereto a new Subchapter to be designated 'Subchapter F. Judicial Review' and a new Article to be numbered 'Article 21.44' providing for the judicial review of any regulation, order, decision or administrative ruling of the Insurance Commission where not otherwise provided for in the Insurance Code; providing a severability clause; and declaring an emergency."

S. B. No. 266, A bill to be entitled "An Act amending Article 7122 of the Revised Civil Statutes of Texas (1925), as amended by the Acts of the 43rd Legislature, Regular Session, Chapter 192, so as to provide that the religious, educational or charitable organization included in the exemption under said Article may be incorporated, unincorporated or in trust form, so as to include in the exemption such of the property passing to or for the use of the United States or such organization as is irrevocably committed for use within the State of Texas or which is transferred to a religious, educational or charitable organization for use exclusively within the State of Texas by instrument in writing prior to the payment of the tax, by providing that this Act shall apply to a decedent dying before its passage if the tax imposed by said Article 7122, as heretofore amended, has not been paid prior to the passage of the Act and to a decedent dying after the passage of the Act, repealing conflicting laws and parts of laws, and declaring an emergency."

(With amendment.)

S. B. No. 46, A bill to be entitled "An Act amending Article 1995 of the Revised Civil Statutes of the State of Texas, 1925, by adding a new Subdivision 17a providing that suits for damages or to enjoin, or suits for damages and to enjoin strikes or picketing for an unlawful purpose or conducted in an unlawful manner may be brought in the county where the strike or picketing occurred, or in a county adjoining the county in which the unlawful act occurred, or in the county of residence of a defendant, or in Travis County; repealing all laws or parts of laws in conflict with such subsection; and declaring an emergency."

(As amended.)

S. B. No. 52, A bill to be entitled "An Act relating to the sale or pre-arranged or prepaid funeral services or funeral merchandise to be delivered at an undetermined future date dependent upon the death of the contracting party, and handling of money collected under such contracts; placing the administration of the Act under the Secretary of State; prescribing certain offenses and fixing the penalty therefor; making an appropriation; and declaring an emergency."

(With amendments.)

H. C. R. No. 155, Granting permission to R. L. Turner to sue the State of Texas and the Veterans Land Board of Texas.

H. C. R. No. 157, Granting Karoll's, Inc. permission to sue the State of Texas.

The House has granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 3, by a viva voce vote.

The House has appointed the following Conference Committee on H. B. No. 742: Murray, Banks, Jamison, Allen and Cox of Bell.

The House refused to concur in Senate amendments to House Bill No. 375, and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

The House has concurred in Senate amendments to House Bill No. 593 by viva voce vote.

S. J. R. No. 2, Proposing an amend-

ment to Section 49-b, Article III, Constitution of Texas, so that the total amount of bonds or obligations that may be issued by the Veterans' Land Board is increased to Two Hundred Million Dollars (\$200,000,000); providing for the issuance of said bonds and certain conditions relating thereto and the use of the Veterans' Land Fund; providing for an election and the issuance of a proclamation therefor.

(With amendments.)

The House has appointed the following Conference Committee on H. B. No. 375: Sayers, McDonald, Pyle, Kennard and Smith of Tarrant.

The House has granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 276. The House appointed the following conferees: Johnson, Hale, Lehman, Berry and King.

H. B. No. 944, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16, of the Constitution, to be known as 'Tyler County Water Control and Improvement District No. 1'; conferring upon the district the powers of the general laws governing water control and improvement districts where not in conflict with this Act; providing for the governing body of the district; providing that no election on confirmation of the organization of the District and no exclusion hearing shall be held in said District; providing for the issuance of bonds and refunding bonds; providing for a hearing on the plan of taxation for said District; making bonds of the District eligible for investments; and exempting the property and the bonds of the District from taxation; finding a benefit; providing a severability clause; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 126 Returned to House

Senator Hazlewood submitted the following motion in writing:

"I move that the Senate grant the request of the House contained in H. S. R. No. 302 to return S. B. No. 126 to the House for further consideration."

HAZLEWOOD

The motion was read and was adopted unanimously by the Senate.

Bills and Resolutions Signed

The Presiding Officer announced the signing by the President in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 154, A bill to be entitled "An Act amending Acts of 1943, page 168, Chapter 98, compiled as Article 135b-1 of Vernon's Revised Civil Statutes of Texas relating to the prevention of fraud in the sale of agricultural insecticides and fungicides; authorizing the State Chemist to contract with approved commercial laboratories for analysis of samples; prohibiting disclosure of certain information to such laboratories; providing for a 'Stop Sale' order; providing for a registration fee and allocation thereof; providing for exceptions under certain conditions; providing for an appropriation; providing a savings clause; and declaring an emergency."

S. B. No. 145, A bill to be entitled "An Act creating the Texas Commission on Higher Education; providing for appointments of its members and their terms of office; providing for filling vacancies in its membership; providing rules and regulations for the transaction of its business; providing for expenses of members; prescribing times and places of meetings; authorizing employment of personnel and prescribing the qualifications of the Director; etc.; and declaring an emergency."

S. B. No. 39, A bill to be entitled "An Act to provide for suit against a parent who fails to provide for the support and maintenance of his or her child or children under eighteen years old; providing for suit between parents to determine custody in certain cases; providing for venue, process, hearing and orders; providing further for punishment as for contempt for violation or failure to obey any orders; providing for payment to the district clerk; providing for procedure in the event a divorce action is filed and child support and child custody orders are entered therein; making this Act cumulative of other remedies; and declaring an emergency."

S. C. R. No. 57, Granting Southern Gas Company permission to sue the State of Texas.

S. C. R. No. 64, Granting Zephyr Oil Company permission to sue the State of Texas.

S. C. R. No. 62, Granting Magnolia Petroleum Company permission to sue the State of Texas.

S. C. R. No. 53, Granting Etexas Gas Producers Company permission to sue the State of Texas.

S. C. R. No. 48, Granting Mrs. Margaret A. Connally permission to sue the State of Texas.

S. C. R. No. 35, Granting Thomas L. Wade and/or Texas Gas & Power Corporation permission to sue the State.

S. C. R. No. 33, Authorizing the State Youth Development Council to grant a right-of-way easement to the State Highway Commission of Texas of State land in Coryell County.

S. C. R. No. 27, Granting Wheeler Gas Company permission to sue the State.

Presentation of Guests

Senator Roberts, by unanimous consent, presented his father, Mr. Ray C. Roberts, and Mr. Gus Wright and Mr. W. Sutherland, all of McKinney, to the Members of the Senate.

Senate Resolution 362

Senator Owen offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mr. Douglas Soper; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senate Resolution 363

Senator Owen offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mr. Joe A. Morgan; and

Whereas, We desire to welcome this distinguished visitor to the Capitol

Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

(President in the Chair.)

Meeting of the Committee on State Affairs

Senator Hardeman asked unanimous consent for a meeting of the Committee on State Affairs at 3:15 o'clock p. m. today in Committee Room No. 1 while the Senate was in session.

There was objection.

Senator Hardeman then moved that the Committee on State Affairs meet at 3:15 o'clock p. m. today in Committee Room No. 1 while the Senate was in session.

Senator Bracewell moved as a substitute motion that the Committee on State Affairs meet at 4:00 o'clock p. m. today while the Senate was in session.

Question first on the substitute motion by Senator Bracewell, the motion prevailed.

The President announced that the Committee on State Affairs would meet at 4:00 o'clock p. m. today in Committee Room No. 1 while the Senate was in session.

(Senator Roberts in the Chair.)

Bill and Resolutions Signed

The Presiding Officer announced the signing by the President in the presence of the Senate, after the captions had been read, the following enrolled bill and resolutions:

H. B. No. 639, A bill to be entitled "An Act to abolish the office of County Attorney of Polk County; creating the constitutional office of Criminal District Attorney of Polk County; providing for the election and tenure of office and prescribing the qualifications, powers, duties, compensation and expense of said office; providing for the appointment of assistants, investigators, clerks and stenographers and providing for their compensation and prescribing their powers and duties; providing for the appointment of the Criminal District Attorney un-

til the next general election and until his successor shall qualify; providing for the effective date of this Act that the District Attorney of the 9th Judicial District of Texas shall represent the State of Texas only in the 9th Judicial District Court of Texas and in the Special 9th Judicial District Court of Texas in the counties of Waller, Montgomery and San Jacinto and that the provisions of this Act shall not affect the office of District Attorney of the 9th Judicial District of Texas in the counties of Waller, Montgomery and San Jacinto and shall not affect the tenure of office and duties and powers of such District Attorney in said counties of Waller, Montgomery and San Jacinto; providing that the District Attorney of the 9th Judicial District shall be elected for only the counties of Waller, Montgomery and San Jacinto at the next general election and every four years thereafter and divesting the duties and powers of the District Attorney of the 9th Judicial District of Texas to represent the State of Texas in the 9th Judicial District Court and the Special 9th Judicial District Court of Polk County and investing these powers and duties in the Resident Criminal District Attorney of Polk County, Texas; providing for a repealing clause; and declaring an emergency."

H. C. R. No. 46, Granting permission to Andrews Gas Company to sue the State of Texas.

H. C. R. No. 61, Granting permission to Bryce McCandless to sue the State of Texas.

H. C. R. No. 78, Granting The Dow Chemical Company permission to sue the State of Texas.

H. C. R. No. 51, Granting permission to Sohio Petroleum Company to sue the State of Texas.

H. J. R. No. 46, Proposing an amendment to Article XVI, Section 1, of the Constitution of the State of Texas, changing the form of the Oath of Office to include appointive Officers of the State.

H. C. R. No. 45, Granting permission to Coleman Gas & Oil Co. or its successor, Coleman Gas Company, to bring suit against the State of Texas.

H. C. R. No. 162, Instructing the Enrolling Clerk of the House of Representatives to make certain corrections in H. B. 935.

Conference Committee Report on Senate Joint Resolution 1

The Senate resumed consideration of the pending business, same being the adoption of the Conference Committee Report on S. J. R. No. 1.

Question—Shall the Conference Committee Report on S. J. R. No. 1 be adopted?

(Pending further discussion by Senator Corbin of the Conference Committee Report on S. J. R. No. 1, Senators Latimer, Aikin and Lane and the President Pro Tempore occupied the Chair.)

(Senator Aikin in the Chair.)

(Pending further discussion by Senator Corbin of the Conference Committee Report on S. J. R. No. 1, Senators Kazen and Latimer occupied the Chair.)

(Senator Aikin in the Chair.)

(Pending further discussion by Senator Corbin of S. J. R. No. 1, Senators Roberts and Lock occupied the Chair.)

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(Senator Aikin in the Chair.)

(Pending further discussion by Senator Corbin of S. J. R. No. 1, Senators Hardeman, Strauss and Aikin occupied the Chair.)

(Senator Lane in the Chair.)

(Pending further discussion by Senator Corbin of S. J. R. No. 1, Senators Aikin and Hardeman occupied the Chair.)

(Senator Hardeman in the Chair.)

(Pending further discussion by Senator Corbin of S. J. R. No. 1, Senator Aikin occupied the Chair.)

(President in the Chair.)

(Pending further discussion by Senator Corbin of S. J. R. No. 1, Senator Roberts occupied the Chair.)

(Senator Hardeman in the Chair.)

Question—Shall the Conference Committee Report on S. J. R. No. 1 be adopted?

Adjournment

On motion of Senator Weinert, the Senate, at 6:20 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

SIXTY-THIRD DAY

(Thursday, May 19, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

| | |
|-----------|------------------|
| Aikin | Moffett |
| Ashley | Moore |
| Bracewell | Owen |
| Colson | Parkhouse |
| Corbin | Phillips |
| Fly | Ratliff |
| Fuller | Roberts |
| Hardeman | Rogers |
| Hazlewood | of Childress |
| Kazen | Rogers of Travis |
| Kelley | Secrest |
| Lane | Shireman |
| Latimer | Strauss |
| Lock | Wagonseller |
| Martin | Weinert |
| McDonald | Willis |

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

Our Father, Thou hast said, "Come now, let us reason together, though your sins be as scarlet, they shall be white as snow." As we reason over our sins, make us to be reasonable one with the other over our problems; and in our distress lift our eyes unto the hills from whence cometh our help. For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Senate Concurrent Resolution 72 on First Reading

Senator Ashley moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a resolution, the provisions of which he explained.